

REMARKS

Claims 46-136 are pending. A copy of the pending claims is attached in Appendix A, for the Examiner's convenience.

Restriction Requirement

In the outstanding Office Action, the Examiner has imposed a restriction requirement between:

Group I; claims 46-50, 52-54, 57-60, 62-71, 73, 77-80, 84-86, 89-92, 94-101, 103-105, 107-118, 122, 123, and 126-136, drawn to compositions comprising a polypeptide drug, and methods of making and using the compositions;

Group II; claims 46-50, 52-54, 57-60, 62-71, 73, 77-80, 84-86, 89-92, 94-101, 103-105, 107-118, 122, 123, and 126-136, drawn to compositions comprising a polysaccharide drug, and methods of making and using the compositions;

Group III; claims 46-50, 52-54, 57-60, 62-71, 73, 77-80, 84-86, 89-92, 94-101, 103-105, 107-118, 122, 123, and 126-136, drawn to compositions comprising an undefined non-polypeptide, non-polysaccharide, non-nucleic acid drug, and methods of making and using the compositions; and

Group IV; claims 46-136, drawn to therapeutic compositions comprising nucleic acids, and methods of making and using the compositions

The Examiner has indicated that the claims are generic to a plurality of disclosed species. Applicants hereby elect the species of Group IV, compositions comprising nucleic acids, and methods of making and using the compositions, without traverse. The election is made without prejudice or disclaimer of any unelected subject matter. The Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject

matter during the pendency of this application, or an application claiming priority from this application.

The Examiner further has requested an election of species of claims 107, 108, 110 and 111. Applicants elect the species of asialoglycoprotein, without prejudice or disclaimer, and reserve the right to prosecute claims to any unelected subject matter.

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Applicants request examination on the merits.

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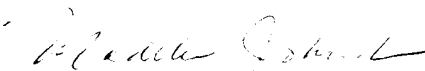
CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 226272002201. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 19, 2000

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